

EXHIBIT 4

Page 1

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

JAMES KUYKENDALL,)
)
)
Plaintiff,)
)
)
Vs.) CIVIL ACTION No.
)
) 5:20-cv-219
AMAZON STUDIOS, LLC,)
et al.,)
)
)
Defendant.)
)

ZOOM VIDEOTAPED DEPOSITION HECTOR BERRELLEZ

Van Nuys, California

Tuesday, October 5, 2021

Volume I

Reported by:
LORI M. BARKLEY
CSR No. 6426
Job No. 4831505
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1 UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF TEXAS
3 LAREDO DIVISION

4

5)
6 JAMES KUYKENDALL,)
7)
8 Plaintiff,)
9)
10 Vs.) CIVIL ACTION NO.
11)
12) 5:20-cv-219
13 AMAZON STUDIOS, LLC,)
14 et al.,)
15)
16 Defendant.)
17)
18)

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13 Zoom Videotaped deposition of HECTOR
14 BERRELLEZ, Volume I, taken on behalf of Plaintiff, at
15 Van Nuys, California, beginning at 11:08 a.m., and 11:10:24
16 ending at 1:17 p.m., on Tuesday, October 5, 2021,
17 before LORI M. BARKLEY, Certified Shorthand Reporter
18 No. 6426.

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1 APPEARANCES :

2

3 FOR THE PLAINTIFF:

4

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5

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24

25

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1 APPEARANCES (continued) :

2

3 FOR THE WITNESS:

4 CAMERON STRACHER PLLC

11:11:29

5 BY: CAMERON STRACHER, ESQ.

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13 FOR AMAZON STUDIOS, LLC:

14 DAVIS WRIGHT TREMAINE LLP

15 BY: CYDNEY SWOFFORD FREEMAN, ESQ.

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20

21

22 ALSO PRESENT:

23 Videographer: Brian Keilhack

24

25

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WITNESS

EXAMINATION

3

HECTOR BERRELLEZ

4

Volume I

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BY MR. AMANAT

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BY MR. STRACHER

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EXHIBITS

11

NUMBER

DESCRIPTION

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Exhibit 1 Defendant Hector Berrellez's
Responses to Plaintiff's
Interrogatories Regarding
Personal Jurisdiction, 24 pages

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Exhibit 2 Calendar Invite from Shipra
Gupta, dated 4/14/2020, Bates
stamped AZ-JK-0000283

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Exhibit 3 Article by Jyotsna Bosotia,
dated May 15, 2020, 5 pages

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3	NUMBER	DESCRIPTION	PAGE
4	Exhibit 4	Screenshot from Valuetainment, Patrick Bet-David, "Mexico DEA Narc Reveals CIA's Greatest Coverup," November 18, 2020, 2 pages	47
9			
10	Exhibit 5	Screenshot from Journey to Justice, Pete Carrillo, "The Last Narc: The Book," dated September 8, 2020, 1 page	52
14			
15	Exhibit 6	Screenshot from Journey to Justice, Pete Carrillo, "The Last Narc Blood in the Corn," dated September 13, 2020, 1 page	52
19			
20	Exhibit 7	Screenshot with Sheepdog Acist, David Contreras, dated December 1, 2020, 1 page	56
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4 Exhibit 8	Screenshot from Victor Martinez, Milenio Newscast, Interview with Hector Berrellez, dated April 11, 2021, 1 page	57
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9	Exhibit 9 Screenshot from Two Guys from Hollywood interview with Hector Berrellez, dated February 9, 2021, 1 page	58
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17	MARKED AT REQUEST OF COUNSEL	
18	Page	Line
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1 INDEX (Continued) :

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3 INSTRUCTION NOT TO ANSWER

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1	Van Nuys, California; Tuesday, October 5, 2021	11:10:24
2	11:09 a.m.	
3		
4	VIDEO OPERATOR: Good morning. We're going	11:09:25
5	on the record at 11:09 a.m., on October 5, 2021.	11:09:26
6	Please note that today's proceeding are	11:09:34
7	being videotaped, and anything being said while on	11:09:36
8	the record may be picked up and put on the record.	11:09:39
9	Furthermore, audio and video recording will	11:09:43
10	continue to take place unless all parties agree to go	11:09:48
11	to off the record.	11:09:50
12	This is Media Unit 1 of the video recorded	11:09:53
13	deposition of Hector Berrellez in the matter of James	11:09:56
14	Kuykendall versus Amazon Studios LLC, et al., filed	11:10:02
15	in the United States District Court, for the Southern	11:10:05
16	District of Texas, Laredo Division. Case number	11:10:08
17	5:20-cv-219.	11:10:20
18	This deposition is being held at	11:10:20
19	Intellectual Property Corporation located at	11:10:21
20	Van Nuys, California, 91411.	11:10:24
21	My name is Brian Keilhack from the firm	11:10:29
22	Veritext, and I am the videographer. The court	11:10:31
23	reporter is Lori Barkley from the firm Veritext.	11:10:34
24	Counsel, at this time I ask that you	11:10:39
25	introduce yourselves and your affiliations as well as	11:10:41

	Page 10
1 who you represent, starting with our deposing	11:10:44
2 counsel.	11:10:47
3 After introductions have been made, the	11:10:47
4 court reporter will swear in our witness.	11:10:50
5 Thank you.	11:10:52
6 MR. AMANAT: Hi. Good morning to those of	11:10:55
7 you on the West Coast. Good afternoon to those of on	11:10:59
8 you the East Coast.	11:11:03
9 My name is Frank Amanat from Dicello	11:11:04
10 Levitt & Gutzler in New York City, and I am here with	11:11:07
11 my colleagues Carmel Kappus, K-A-P-P-U-S, also of the	11:11:09
12 Dicello Levitt & Gutzler, and we represent the	11:11:16
13 plaintiff in this case, Haime Kuykendall.	11:11:18
14 MR. STRACHER: Good afternoon. My name is	11:11:24
15 Cameron Stracher. I am with the law firm Cameron	11:11:25
16 Stracher PLLC, and I'm actually in Los Angeles. My	11:11:28
17 associate, Sara Tesoriero, is remote in New York, and	11:11:31
18 I represent the witness, Hector Berrellez.	11:11:35
19 MR. LUTZKY: Good morning and good	11:11:42
20 afternoon. My name is Alexander Lutzky. I'm with	11:11:43
21 the law firm of Haynes & Boone, and I'm here	11:11:47
22 representing one of the codefendants, IPC Television	11:11:49
23 IPC.	11:11:57
24 MR. FREEMAN: Hi everyone. Cydney Freeman	11:11:59
25 from Davis Wright Tremaine in Los Angeles,	11:12:01

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1 representing codefendant, Amazon Studios, LLC. 11:12:03

2

3 HECTOR BERRELLEZ,

4 having been administered an oath, was examined and
5 testified as follows:

6

7 EXAMINATION 11:12:27

8 BY MR. AMANAT: 11:12:27

9 Q. Good morning, Mr. Berrellez. As I 11:12:29
10 mentioned, my name is Frank Amanat. I represent 11:12:31
11 Haime Kuykendall in this case. I'll be asking you 11:12:36
12 some questions today. 11:12:38

13 I'll begin by asking you if you have ever 11:12:40
14 been deposed before? 11:12:42

15 A. No, sir. 11:12:50

16 Q. Have you testified in court before? 11:12:51

17 A. Yes, sir. 11:12:53

18 Q. And was your court testimony in connection 11:12:54
19 with your work with the DEA, or have you testified in 11:12:56
20 other contexts as well? 11:13:02

21 A. As a DEA special agent, sir. 11:13:03

22 Q. Since you haven't been deposed, before let 11:13:07
23 me just spend a couple minutes going over the ground 11:13:10
24 rules for today's proceedings. 11:13:13

25 I'll be asking you some questions to get 11:13:15

	Page 19
1 Q. Do you have -- now, I have, and we're going	11:22:37
2 to talk in a few minutes about the contract that you	11:22:39
3 produced to us between you and Buckingham Television.	11:22:42
4 But separate and apart from that, that	11:22:50
5 contact, which we'll look at, do you have a separate	11:22:53
6 agreement with Tiller Russell with regard to your	11:22:57
7 story?	11:23:00
8 A. Would you rephrase the question, please.	11:23:03
9 Q. Did you have any agreement, written	11:23:04
10 agreement with Tiller Russell, with regard to your	11:23:09
11 story and his plan to make a movie based on your	11:23:15
12 story?	11:23:17
13 A. We went -- we went into a contract, yes,	11:23:20
14 sir.	
15 Q. Okay. You did have a contact with	11:23:25
16 Mr. Russell, okay.	11:23:28
17 MR. AMANAT: Counsel, I'd call for the	11:23:29
18 production of that immediately, please.	11:23:30
19 Q. So do you consider the movie "The Last	11:23:37
20 Narc," which is the subject of this lawsuit, do you	11:23:40
21 consider it to be based on your book?	11:23:42
22 A. It is not.	11:23:45
23 Q. You do not consider the movie to be based on	11:23:49
24 your book?	11:23:51
25 A. No, sir, I do not.	11:23:52